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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/766,022	01/19/2001	Jamshid Eftekhari	NC33311	7835
29683	7590	06/08/2006	EXAMINER NGUYEN, JENNIFER T	
HARRINGTON & SMITH, LLP 4 RESEARCH DRIVE SHELTON, CT 06484-6212			ART UNIT 2629	

DATE MAILED: 06/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/766,022	Applicant(s) EFTEKHARI, JAMSHID	
	Examiner Jennifer T. Nguyen	Art Unit 2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office action is responsive to amendment filed on 03/09/2006.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 1-28 and 30-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Edwards et al. (Patent No. US 6,952,799) in view of Kaizu et al. (Patent No. US 5,607,048).

Regarding claims 1, 10, and 17, Edwards teaches a method in a device having a plurality of character-entry pressure points (i.e., colored buttons 330, fig. 3) for selecting a function in a markup language file (i.e., links 215, fig. 2) comprising:

reading the markup language file (i.e., view of the HTML page, col. 6, lines 46);

detecting a reference to a character encoding having a corresponding function (i.e., related links on the page, col. 6, lines 47-48) ;

at least one character encoding having the corresponding function (i.e., four links are colored) (col. 6, lines 48-51);

detecting an entry by the character-entry pressure point (col. 7, lines 29-31);

and triggering the function (col. 6 lines 33-51, col. 7, lines 1-37).

Edwards differs from claims 1, 10, and 17 in that he does not specifically teach the character-entry pressure point is illuminated.

Kaizu teaches illuminated button key (col. 5, lines 33-50). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the illumination of keys as taught by Kaizu in the system of Edwards in order to allow easier recognize and input select of the key top portions.

Regarding claims 2 and 18, Edwards teaches illuminating the at least one character-entry pressure point (330) comprises illuminating less than the plurality of character-entry pressure points (col. 7, lines 28-37).

Regarding claims 3 and 19, Edwards teaches the device has displayed a number of references and illuminating the at least one character-entry pressure point comprises illuminating the number of character-entry pressure points (col. 7, lines 1-15).

Regarding claims 4, 5, 20 and 21, Edwards teaches detecting an entry by the character-entry pressure point comprises detecting a key-press and a key-release (col. 7, lines 25-31).

Regarding claims 6 and 22, Edwards teaches detecting an entry by the character-entry pressure point comprises detecting a long-duration key press (col. 7, lines 25-31).

Regarding claims 7, 8, 15, 23 and 24, Edwards teaches trigger a function comprises a step of displaying a card (col. 5, line 59 to col. 6, line 12) and reading a deck (col. 5, line 59 to col. 6, line 12, fig. 2).

Regarding claims 9 and 25, Edwards teaches triggering a function further comprises moving a cursor (col. 19, lines 47-56).

Regarding claim 11, the combination of Edwards and Kaizu teaches illuminating a light emitting diode near the character-entry pressure point (col. 4, lines 63-67 of Kaizu).

Regarding claims 12 and 13, Edwards teaches detecting comprises sensing a long duration circuit closure (col. 7, lines 1-37).

Regarding claim 14, Edwards teaches detecting comprises sensing a circuit opening (col. 7, lines 1-37).

Regarding claim 16, Edwards teaches triggering comprises reading a second markup language file (col. 7, lines 1-15).

Regarding to claim 26, Edwards teaches wireless device (i.e., mobile phone) (col. 2, lines 55-65) comprising a display, manual user data entry device, and a CPU programmed to parse a file to identify at least one occurrence of a string representing a hyperlink (215, fig. 2) and to associate individual ones of identified string occurrences with individual ones of colors associated with a manual user data entry device (105, fig. 3) of said wireless device (col. 7, lines 1-37) using a zone approach in which a color of a hyperlink is reassigned as the hyperlink is repositioned in a viewable window of the display (col. 6, lines 33-63).

Regarding claim 27, Edwards teaches the CPU (not shown) is further programmed to illuminate the manual user data entry device (105) with a sufficient number of colors (i.e., red, green) to present the identified string occurrences (col. 7, lines 1-37).

Regarding claim 28, Edwards teaches the wireless device comprises a mobile phone (col. 2, lines 55-65).

Regarding claim 30, Edwards teaches color coding and displaying the navigation function on a display screen of the wireless device after detecting a reference to a character encoding having a corresponding navigation function and before illuminating a character-entry pressure point corresponding to the character encoding (col. 18, lines 3-50).

Regarding claim 31, Edwards teaches reassigning the color of a navigation function when the navigation function moves on a display screen of the wireless device after triggering the navigation function (col. 14, lines 22-40).

Regarding claim 32, Edwards teaches means for color coding and displaying the corresponding function on a display screen of the device;

And means for reassigning a color of the corresponding function of a character encoding, wherein the color coding of each character-entry point and a corresponding character encoding have similar colors (col. 14, lines 22-40).

Regarding claim 33, Edwards further teaches reassigning the color of a navigation function when the navigation function moves on a display screen of the wireless device (col. 14, lines 22-40).

4. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Edwards et al. (Patent No. US 6,952,799) in view of Kaizu et al. (Patent No. US 5,607,048) and further in view of Hawkins et al. (Patent No. US 6,781,575).

Regarding claim 29, the combination of Edwards and Kaizu differs from claim 29 in that it does not specifically teach the file is received through a wireless link using a wireless transceiver having an output coupled to the CPU.

Hawkins teaches a file is received through a wireless link using a wireless transceiver having an output coupled to the CPU (col. 5, lines 21-40, col. 7, lines 40-48). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the wireless transceiver as taught by Hawkins in the system of the combination of

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Edwards and Kaizu in order to provide a device with light weight and quick connecting communication.

Response to Arguments

5. Applicants' arguments filed 03/9/2006, have been fully considered but they are not persuasive because as follows:

In response to Applicants' argument stated "Edwards discloses (col. 7, lines 25-31) pressing a button, but does not teach or suggest detecting a key release". However, it is well known that releasing the key is followed pressing the key. Applicant argued that "Edwards...not disclose displaying a card...reading a deck". Examiner respectfully disagrees because Edward teaches displaying a hyper link card (i.e., local information link, fig. 2) and reading a deck (col. 7, lines 25-37). Moreover, Edwards teaches "displaying a portion of markup language" (col. 6, lines 33-63).

6. Applicant's arguments with respect to claims 1-29 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer T. Nguyen whose telephone number is 571-272-7696. The examiner can normally be reached on Mon-Fri: 9:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe can be reached on 571-272-7691. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jennifer Nguyen
6/5/06



RICHARD HJERPE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600